

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CARPENTER TECHNOLOGY CORP.,	:	CIVIL ACTION
Plaintiff,	:	
	:	
v.	:	NO. 08-2907
	:	
ALLEGHENY TECHNOLOGIES, INC.,	:	
and ATI PROPERTIES, INC.,	:	
Defendants.	:	

ORDER

AND NOW, this 14th day of November 2012, upon consideration of Defendants' Motion *In Limine* to Exclude Opinion Testimony on Obviousness from GE and Carpenter Employees (Doc. No. 119), Defendants' Memorandum of Law in Support thereof (Doc. No. 115), and Plaintiff's Response (Doc. No. 119), **IT IS HEREBY ORDERED** that the Motion is **GRANTED** in part and **DENIED** in part as follows:

1. To the extent Mr. Schwant, Dr. Thamboo, and Dr. Widge offered opinion testimony on the issue of obviousness in their depositions, that testimony is inadmissible for the purpose of establishing obviousness at trial;
2. Dr. Widge's testimony, however, is relevant and admissible for the limited purpose of defending against ATI's claim of willful infringement;
3. The Court will provide appropriate instruction where necessary at trial.

BY THE COURT:

/s/ Lawrence F. Stengel
LAWRENCE F. STENGEL, J.